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 22 Attorneys for Defendants  
 23 WHITE CAP CONSTRUCTION SUPPLY, INC.  
 24 and HD SUPPLY INC.

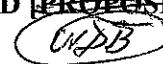
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 15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA

17  
 18 ALEX ROJAS,

Case No.: C 08-3886 WDB

19 Plaintiff,

20 v.  
 21 STIPULATION OF DISMISSAL WITH  
 22 PREJUDICE AND [PROPOSED] ORDER  
 23 THEREON 

24  
 25 WHITE CAP CONSTRUCTION SUPPLY,  
 26 INC. and HD SUPPLY INC.

27 F.R.C.P. Rule 41(a)(1)(i)

28 Defendants.

1 IT IS HEREBY STIPULATED by and between the undersigned Plaintiff Alex Rojas and  
2 Defendants White Cap Construction Supply, Inc. and HD Supply Inc., through their counsel of  
3 record, and pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, that this entire  
4 action is dismissed with prejudice, each party to bear his/its own costs and attorneys' fees.

5 The Court shall retain jurisdiction only to enforce the parties' settlement.

6

7 Date: December 30, 2008

/s/

8 Michael Hoffman  
9 Attorney for Plaintiff  
ALEX ROJAS

10 Date: December 30, 2008

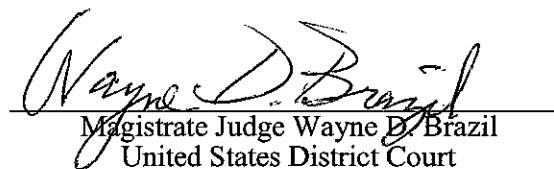
/s/

11 Deborah R. Schwartz  
12 Attorney for Defendants  
13 WHITE CAP CONSTRUCTION SUPPLY, INC.  
14 and HD SUPPLY INC.

15 IT IS SO ORDERED.

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17 Date: 1/2/09

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19 Magistrate Judge Wayne D. Brazil  
20 United States District Court  
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